

REMARKS

Claims 1-22 are all of the claims pending in the application. By this Amendment, Applicant hereby amends claims 1, 2, 7, 11-13, 15, 16, and 20, without narrowing, for better conformity with U.S. practice.

Applicant respectfully notes that the time for responding to the Office Action of August 15, 2008, expires on November 17, 2008 (November 15, 2008, falling on a Saturday). Accordingly, this Amendment is timely filed.

I. Formal Matters

The Examiner returned the PTO/SB/08 forms submitted with the Information Disclosure Statements filed on February 7, 2006, May 4, 2007, and July 11, 2007, however, the Examiner crossed out one of the cited U.S. patent documents on the PTO/SB/08 form submitted with the Information Disclosure Statement filed on May 4, 2007. The Examiner indicated that the crossed out document appears to have an incorrect number listed on the PTO/SB/08 form.

As directed by the Examiner in a telephone call on November 14, 2008, Applicant respectfully submits herewith a Supplemental PTO/SB/08 form with the correct document number. Applicant respectfully requests that the Examiner return the initialed Supplemental PTO/SB/08 form, indicating consideration of the cited documents.

II. Summary of the Office Action

The Examiner allowed claims 7-22. Additionally, the Examiner objected to claim 2 as being dependent upon a rejected base claim, but the Examiner indicated that the claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1 and 3-6 are rejected under 35 U.S.C. § 103(a).

III. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1 and 3-6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,862,016 to Matsuura et al. (hereinafter “Matsuura”) in view of U.S. Patent No. 7,307,646 to Brown Elliot (hereinafter “Brown Elliot”). Applicant respectfully traverses this rejection and respectfully requests that the Examiner reconsider the rejection, at least in view of the comments which follow.

Turning to claim 1, the Examiner appears to concede that Matsuura does not teach “a plurality of cells are arranged such that they do not correspond one for one to the positions of pixels for displaying the image,” as recited, *inter alia*, in claim 1. However, the Examiner alleges that Brown Elliot teaches a multi-pixel imaging device and method of making same including plural stacked arrangements of stacked pixel cells which can be stacked or superimposed so that the plurality of cells do not correspond one-for-one and can include a variety of shapes such as square, hexagonal, or triangular. Applicant respectfully disagrees.

Brown Elliot does not teach that a plurality of cells are arranged such that they do not correspond one for one to the positions of pixels for displaying the image. First, Brown Elliot does not relate to cells or even disclose cells as Brown Elliot relates to cathode ray tubes (CRTs), rather than a display comprising cells formed between two substrates (*see* col. 1, lines 15-20 of Brown Elliot). Accordingly, rather than using cells to display images, according to Brown Elliot, an electron gun projects an electron beam inside the CRT onto a phosphor surface (*see* col. 5, lines 15-25 of Brown Elliot).

Second, Brown Elliot teaches that the electron beams projected by the electron guns are misconverged with steering electronics, or by displacing the electron guns, thus shifting the image to separate the red, blue, and green color planes (*see* col. 5, lines 30-53 of Brown Elliot).

A person of ordinary skill in the art would understand that misconverging the electron beams projected by the electron guns is not the same as arranging cells such that they do not correspond one for one to the positions of pixels. The misconverged electron beams are not projected into cells but rather onto a phosphor surface (*see* col. 5, lines 15-25 of Brown Elliot).

Moreover, Applicant respectfully submits that the combination of Matsuura and Brown Elliot is improper because the proposed modification completely changes the principle of operation of Matsuura. *See* MPEP § 2143.01(VI). Brown Elliot relates to a CRT that displays images by projecting electron beams by an electron gun onto a phosphor surface (*see* col. 5, lines 15-25 of Brown Elliot). Matsuura, on the other hand, relates to a display medium including chargeable dry developing particles (*see* col. 7, lines 47-55 of Matsuura). Rather than using an electron gun, according to Matsuura, the panel includes electrodes arranged on the substrates of the image display medium (*see* col. 8, lines 52-57 of Matsuura). It is unclear how the teaching of Brown Elliot related to misconverging the electron beams projected by the electron guns by could be applied to Matsuura, which uses cells and electrodes rather than electron beams.

At least for these reasons, Applicant respectfully submits that claim 1 is patentable over Matsuura and Brown Elliot. Applicant respectfully submits that claims 3-6 are patentable over Matsuura and Brown Elliot at least by virtue of their dependency on claim 1.

IV. Allowable Subject Matter

Applicant thanks the Examiner for allowing claims 7-22. Applicant respectfully submits that claims 7-22 should be allowable based upon the features recited therein, and not based upon any paraphrasing of the claim features.

Additionally, the Examiner objected to claim 2 as being dependent upon a rejected base claim, but the Examiner indicated that the claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully notes that, contrary to the Examiner's indication, claim 2 is an independent claim. Accordingly, Applicant respectfully submits that claim 2 is allowable, because it contains subject matter that the Examiner indicated is allowable.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: November 17, 2008